

118TH CONGRESS
2D SESSION

H. R. 8006

To establish an expedited petition process for the addition and removal of certain products from the lists of products eligible or ineligible for beneficial treatment under the Generalized System of Preferences, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2024

Mrs. MILLER of West Virginia introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To establish an expedited petition process for the addition and removal of certain products from the lists of products eligible or ineligible for beneficial treatment under the Generalized System of Preferences, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expedited Review of
5 Products for GSP Act”.

1 **SEC. 2. EXPEDITED PRODUCT COVERAGE PETITION PROC-**
2 **ESS.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the United States Inter-
5 national Trade Commission shall publish in the Federal
6 Register and on a publicly available internet website of
7 the Commission a notice requesting interested parties to
8 submit to the Commission, during the 60-day period be-
9 ginning on the date of such publication, a petition—

10 (1) to add one or more headings or subheadings
11 of the Harmonized Tariff Schedule of the United
12 States to, or remove one or more such headings or
13 subheadings from, the list of articles that may not
14 be designated as an eligible article for duty-free
15 treatment pursuant to section 503(b) of the Trade
16 Act of 1974 (19 U.S.C. 2463(b)); or

17 (2) to provide duty-free treatment to one or
18 more headings or subheadings of the Harmonized
19 Tariff Schedule under the Generalized System of
20 Preferences that are—

21 (A) not restricted under such section
22 503(b) from designation as an eligible article;
23 and

24 (B) not otherwise designated an eligible ar-
25 ticle by the President pursuant to section 501

1 or section 503(a) of such Act (19 U.S.C. 2461;
2 2463(a)).

3 (b) CONTENTS OF PETITION.—A petition submitted
4 pursuant to subsection (a) shall be eligible for consider-
5 ation under the process provided by this section only if
6 such petition includes—

7 (1) the name and address of the petitioner;

8 (2) the 8-digit subheading level or levels under
9 the Harmonized Tariff Schedule with respect to
10 which the petition is submitted; and

11 (3) for a petition submitted pursuant to sub-
12 section (a), a certification that the petitioner is an
13 interested party and a brief description of the man-
14 ner and extent to which the petitioner is a likely
15 beneficiary with respect to the addition or removal
16 of the heading or subheading level concerned.

17 (c) PUBLICATION OF PETITIONS.—As soon as prac-
18 ticable after the 60-day period described in subsection (a),
19 and not later than 30 days after the end of such period,
20 the Commission shall publish on a publicly available inter-
21 net website of the Commission the contents of each peti-
22 tion received.

23 (d) OPPORTUNITY FOR PUBLIC COMMENT.—During
24 the 45-day period beginning on the date of the publication
25 of petitions pursuant to subsection (c), the Commission

1 shall publish in the Federal Register and on a publicly
2 available internet website of the Commission a notice re-
3 questing members of the public to submit comments to
4 the Commission with respect to the changes sought by the
5 petitions.

6 (e) REPORT.—Not later than 1 year after the date
7 of the enactment of this Act, the Commission shall submit
8 to the appropriate congressional committees a report on
9 each eligible petition submitted pursuant to the process
10 provided by this section that includes, with respect to the
11 article or articles concerned in each such petition—

12 (1) data from the 5 most recent calendar years
13 for which complete information is available on—

14 (A) sources of imports;

15 (B) values of imports;

16 (C) market share of imports (to the extent
17 practical); and

18 (D) domestic production (to the extent
19 practical);

20 (2) any information on whether the product is
21 used as an input in United States manufacturing;
22 and

23 (3) a summary of information provided in the
24 form of comments rebutting or objecting to the peti-
25 tion.

1 (f) AUTHORITIES.—

2 (1) PROCEDURES.—The Commission shall pre-
3 scribe and publish in the Federal Register and on a
4 publicly available internet website of the Commission
5 all procedures to be complied with by members of
6 the public submitting petitions.

7 (2) JUDICIAL REVIEW PRECLUDED.—The exer-
8 cise of functions under this Act shall not be subject
9 to judicial review.

10 (g) INTERESTED PARTY DEFINED.—In this section,
11 the term “interested party” has the definition given such
12 term in section 771 of the Tariff Act of 1930 (19 U.S.C.
13 1677), except that an interested party under this section
14 may not include—

15 (1) any person described in paragraph (9)(A) of
16 such section, other than a person that is an importer
17 or a business association of importers; or

18 (2) any person described in paragraph (9)(B)
19 or (9)(G) of such section.

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